PTO/SB/64 (09-04) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

RETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional) OM 130

First named inventor: MICHAEL MACKIN

Application No.: 10/672,862

Art Unit: 3736

Filed: 09/26/2003

Examiner: Chan Lacric

Title: INFANT CARE APPARATUS WITH OBJECT DETECTION SENSING

Attention: Office of Petitions **Mail Stop Petition Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450 FAX (703) 872-9306

> NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

	re Il entity-fee \$ (37 CFR 1.17(m)). Applicant claims smal er than small entity – fee \$ <u>/ 3 70.00</u> (37 CFR 1.17(m))	l entity status. See 37 CFR 1.27.
2. Reply and A.	d/or fee The reply and/or fee to the above-noted Office action in the form of	_(identify type of reply):
	has been filed previously on is enclosed herewith.	<u></u>
В.	The issue fee and publication fee (if applicable) of \$ 1670 has been paid previously on	<u>⊘⊘</u> . ·

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required. A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SD(3)). A. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information in there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).] WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	•	
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TOGER M. RATHBUN Typed or printed name 13 MARCARITA COURT Address Address Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: STATEMENT; CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306. 11/03/2004 Date Registration Number, if applicable (843) 682-250 Telephone Number	included on this form. Provide credit card information and a	uthorization on PTO-2038.
TOGER M. RATHBUN Typed or printed name 13 MARCARITA COURT Address Address Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: STATEMENT; CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)] I hereby certify that this correspondence is being: Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306. 11/03/2004 Date Registration Number, if applicable (843) 682-250 Telephone Number	CaM Jatth	11/03/2004
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P FANTORNEY DOCKET NO. OM130

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Michael Mackin et al S/N 10/672,862

Group: 3736

Examiner: John Lacyk Confirmation No. 1281

Notice of Allowance 07/13/04

Filed: 09/26/2003

For:

INFANT CARE APPARATUS WITH OBJECT DETECTION SENSING

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United Postal Service as Thist class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO (703) 872,9306 on the date indicated below.

Roger M. Rathbun

February 25, 2005

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PETITION FOR REVIVAL

Dear sirs:

Enclosed, herewith, is an additional copy of a Petition for Revival as a supplement to the same Petitions that I faxed to the U.S. Patent Office on November 3rd and November 8, 2004.

Both of the petitions faxed came back with a confirmation that one page was received despite my fax machine showing that all of the pages were successfully sent and received. To date, however, I have received no indication that the full petition was received or any notice that the Patent Office received one page and requesting the remainder.

Therefore, I am submitting, herewith, a further duplication of the petition faxed on November 3 and November 8 to insure that the Petition is, indeed received in the Office of Petitions and will be acted upon. I am in the process of listing my current patent applications for the Private PAIR system, however, to date, I cannot access that system to learn the status of the present petition.

13 Margarita Court Hilton Head Island, SC 29926 Respectfully submitted

Roger M. Rathbun, Regn. No. 24,964 Attorney for Applicants (843) 682-2501

10672862

PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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PORTION FOR REVIVAL	OF AN APPLICATION FOR PA	TENT
	FIONALLY UNDER 37 CFR 1.13	

Docket Number (Optional) OM 130

First named inventor:	MICHAEL	MACKIN
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Art Unit: 3736

Filed: 09/26/2003

Application No.: 10/672,862

Examiner: COHN LACYIC

Title: INFANT CARE APPARATUS WITH OBJECT DETECTION SENSING

Attention: Office of Petitions Mail Stop Petition **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450 FAX (703) 872-9306

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APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee:
- (3) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

L	all entity-fee \$ (37 CFR 1.17(m)). Applicant claims sma	Il entity status. See 37 CFR 1.27.
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	has been filed previously onis enclosed herewith.	·
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[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PETITION FOR REVIVAL OF ABANDONED UNINTENTION			OM / 30	enai)
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TO:

Fax Sender at (843) 682-2502

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ATTORNEY DOCKET NO. OM130

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Michael Mackin et al S/N 10/672,862 Filed: 09/26/2003

Group: 3736

Examiner: John Lacyk Confirmation No. 1281

Notice of Allowance 07/13/04

For: INFANT CARE APPARATUS WITH OBJECT DETECTION SENSING

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United Postal Service as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VG 22319 1450, or being facsimile transmitted to the USPTO (703) 872 9306 on the date indicated below.

(Name of Registered Representative)

(Signature and Date)

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

STATEMENT THAT DELAY WAS UNINTENTIONAL

The undersigned attorney of record, hereby declares:

- 1. That he is the attorney of record of the above-identified patent application and that he has been responsible for the prosecution thereof.
- 2. That he received a Notice of Allowance in the application on or about July 16, 2004.
- 3. That, in response to that Notice of Allowance, he prepared and forwarded a Part B, Fee(s) Transmittal to the U.S. Patent Office on August 20, 2004 charging the Issue Fee and the Publication Fee to Deposit Account 500575, a copy of which is attached hereto as Exhibit A. A copy of the return postcard is also attached as Exhibit B indicating to him that the fee had been received and paid.
- 4. That, unknown to him at the time, the Deposit Account had been inadvertently overdrawn and there were insufficient funds in the account to cover the charges for the Issue Fee and the Publication Fee.
- 5. That when he became aware of the error, the time to pay the aforementioned fees had expired and he was not aware of the lack of payment in time to make corrections.

- 6. That he believes that the present abandonment is based on the lack of funds in the Deposit Account since the proper papers were otherwise filed in the U.S. Patent Office.
- 7. That the payment was made in good faith belief that there were sufficient funds in the account and that that the delay in payment of these fees was unintentional.
- 8. That he received the Notice of Abandonment within the last two working days and therefore submits that the present Petition is timely filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

13 Margarita Court Hilton Head Island, SC 29926 Respectfully submitted

Regar M. Rathbun, Regn. No. 24,964 Attorney for Applicants (843) 682-2501

PTO/SB/17 (10-04v2)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

____ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$) 3040.	00
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Complete if Known						
Application Number	10/672,862					
Filing Date	09/26/2003					
First Named Inventor	MICHAEL MACKIN					
Examiner Name	JOHN LACKE					
Art Unit	3736					
Attorney Docket No.	OM 130					

METHOD OF PAYMENT (check all that apply)				FE	E CALCULATION (continued)	*****
Check Credit card Money Other None	3. AD	DITI	ONA	L FEE	S	
Deposit Account:	<u>Large E</u>	ntity	Small	Entity	!	
Deposit So 0575	Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
Number	1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account Name	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
The Director is authorized to: (check all that apply)	1053	130	1053		Non-English specification	\vdash
Charge fee(s) indicated below Credit any overpayments	1812 2	2,520	1812	2,520	For filing a request for ex parte reexamination	
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805 1	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	
1. BASIC FILING FEE	1252	430	2252	215	Extension for reply within second month	
Large Entity Small Entity	1253	980	2253	490	Extension for reply within third month	
Fee Fee Fee Fee Pee Paid Code (\$) Code (\$)	1254 1	,530	2254	765	Extension for reply within fourth month	
1001 790 2001 395 Utility filing fee	1255 2	2,080	2255	1,040	Extension for reply within fifth month	
1002 350 2002 175 Design filing fee	1401	340	2401	170	Notice of Appeal	
1003 550 2003 275 Plant filing fee	1402	340	2402	170	Filing a brief in support of an appeal	
1004 790 2004 395 Reissue filing fee	1403	300	2403	150	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451 1	,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$)	1452	110	2452	55	Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453 1	,370	2453	685	Petition to revive - unintentional	1370
Fee from _	1501 1	,370	2501	685	Utility issue fee (or reissue)	1370
Extra Claims below Fee Paid Total Claims X = X	1502	490	2502	245	Design issue fee	
Total Claims 20°° = X = Independent X = -3°° = X	1503	660	2503	330	Plant issue fee	
Claims - 3" =	1460	130	1460	130	Petitions to the Commissioner	
	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
Large Entity Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt	
Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1202 18 2202 9 Claims in excess of 20 1201 88 2201 44 Independent claims in excess of 3	1809	790	2809		Filing a submission after final rejection (37 CFR 1.129(a))	
1203 300 2203 150 Multiple dependent claim, if not paid	1810	790	2810	395	For each additional invention to be	
1204 88 2204 44 ** Reissue independent claims	4004		0001		examined (37 CFR 1.129(b))	
over original patent		790	2801	395	Request for Continued Examination (RCE)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application	
SUBTOTAL (2) (\$)	Other fe	e (spe	cify)	PUR	BLICATION	300
SUBTOTAL (2) ((\$) **or number previously paid, if greater; For Reissues, see above	*Reduce	ed by I	Basic F	iling Fe	e Paid SUBTOTAL (3) (\$) 30	40

SUBMITTED BY					(Complete (f applicable))	
Name (Print/Type)	ROGER DIN R		Registration No. Attorney/Agent)	24,964	Telephone	(843)682-2501	
Signature	Ven)	long			Date	11/03/2004	_
		72.5.5				11/03/1001	_

WARNING Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.